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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/935,023

08/22/2001

Mooi Choo Chuah

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06/30/2005

Docket Administrator (Room 3J-219)  
Lucent Technologies Inc.  
101 Crawfords Corner Road  
Holmdel, NJ 07733-3030

EXAMINER

PHUNKULH, BOB A

ART UNIT

PAPER NUMBER

2661

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/935,023

Applicant(s)

CHUAH, MOOI CHOO

Examiner

Bob A. Phunkulh

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-19 is/are rejected.
- 7) ☒ Claim(s) 10 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/22/2001</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Drawings***

Figures 1-2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims \*\*\* are rejected under 35 U.S.C. 102(e) as being anticipated by Evans (US 6,853,627).

Regarding claim 1, \*\*\*\* discloses a method of providing access to a wireless communications system in which a plurality of nodes (RBSs 28 or RBSs 29, see figures 2-3) in a first set (Routing Area (RA) 31 comprises of at least two RBS (i.e. 29<sub>1</sub>, 29<sub>2</sub>) and one Base Station Controller in RNS 34, see figure 3 and col. 2 lines 30-32); establish wireless links with wireless units (the plurality of cell 27, see figure 3) located in geographic proximity to said nodes, said method comprising the steps of:

connecting a node of said plurality of nodes in said a first set with different nodes of a second set (in figures 2-3 shown only one Routing area but the network further comprises of a plurality of RAs similar RA 31, a second set comprises of at least two RBS 29<sub>3</sub> and one BSC in RNS 34 see figure 3 and col. 2 lines 30-32; any of the nodes (RBS) in first set and any of the nodes (RBS) in second set are interconnected via IP based RAN network 36, see figure 3).

Regarding claim 2, Evans discloses determining a node of said second set (another RA, not shown in figures, connected to the IP based RAN 36, see col. 6 lines 7-22) to connect with said node of said first set (the system includes RMCP that holds the master routing area-cell mapping table 44 (defining the relationship between routing areas (RAs) in the network, where a routing area 31 comprise of at least two RBS (i.e. 29<sub>1</sub>, 29<sub>2</sub>) and one Base Station Controller in RNS 34, see figure 3 and col. 2 lines 30-32);

Regarding claim 3, Evans disclose determining comprises: using information characterizing nodes of said second set (the master routing area-cell mapping defines the relation between routing area, and the sub-set of the mapping defines the relation between the RA and it cells, see col. 6 lines 7-22).

Regarding claim 5, Evans disclose using information characterizing said node of said first set (the master routing area-cell mapping defines the relation between routing area, and the sub-set of the mapping defines the relation between the RA and it cells, see col. 6 lines 7-22).

Regarding claim 6, Evans discloses using information characterizing the wireless unit for which a connection is being established (the master routing area-cell mapping defines the relation between routing area, and the sub-set of the mapping defines the relation between the RA and it cells, see col. 6 lines 7-22).

Regarding claim 7, Evans discloses connecting a node of said first set with a first node of said second set; and connecting said node of said first set with a second node of said second set (RBS 29<sub>1</sub> of the first set (RA 31) is adapted to connect RBS of the second set (another routing area RA, not shown), via the IP based RAN network 36, see figures 2-3).

Regarding claim 8, Evans discloses connecting a node of said first set with a first node of said second set for establishing a connection with a first wireless unit; and connecting said node of said first set with a second node of said second set for establishing a connection with a second wireless unit (RBS 29<sub>1</sub> of the first set (RA 31) is adapted to connect RBS of the second set (another routing area RA, not shown), via the IP based RAN network 36, see figures 2-3).

Regarding claim 11, Evans discloses a radio access system in a wireless communications system comprising:

a plurality of nodes in a first set adapted to establish wireless links with wireless units located in geographic proximity to said nodes (Routing Area (RA) 31 comprises of at least two RBS (i.e. 29<sub>1</sub>, 29<sub>2</sub>) and one Base Station Controller in RNS 34, see figure 3 and col. 2 lines 30-32);

a connection network coupled to said plurality of nodes of said first set (IP-based RAN network 36, see figures 2-3); and

a plurality of nodes of a second set coupled to said connection network adapted to provide connections between a node of said plurality of nodes of said first set and said plurality of nodes of said second set (in figures 2-3 shown only one Routing area but the network further comprises of a plurality of RAs similar RA 31 , a second set comprises of at least two RBS 29<sub>3</sub> and one BSC in RNS 34 see figure 3 and col. 2 lines 30-32; any of the nodes (RBS) in first set and any of the nodes (RBS) in second set are interconnected via IP based RAN network 36, see figure 3).

Regarding claim 12, Evans discloses the processing circuitry adapted to determine a node of said second set to connect with said node of said first set (the communication system includes a radio network management control point (RMCP) for storing a master routing area-cell mapping table defining relations between a plurality of routing areas (RAs) and a plurality of cells of the network, see claim 7).

Regarding claim 13, Evans discloses the processing circuitry adapted to use information characterizing nodes of said second set to determine said node of said second set (the routing area-cell mapping information defines a relation between an RA and at least one cell served by the RBS in the RMCP, see claim 7).

Regarding claim 14, Evans discloses the processing circuitry adapted to use information characterizing usage levels of nodes of said second set to determine said

node of said second set (the RMCP uses

Regarding claim 15, Evans discloses the processing circuitry adapted to use information characterizing said node of said first set to determine said node of said second set (the routing area-cell mapping information defines a relation between an RA and at least one cell served by the RBS in the RMCP, see claim 7 and col. 6 lines 7-22).

Regarding claim 16, Evans discloses the processing circuitry adapted to use information characterizing the wireless unit for which a connection is being established to determine said node of said second set (a subset of the mapping table defines the relationship between the RA and its cells 27, see col. 6 lines 7-22).

Regarding claim 17, Evans discloses the radio access system adapted to connect a node of said first set with a first node of said second set and to connect said node of said first set with a second node of said second set (RBS 29<sub>1</sub> of the first set (RA 31) is adapted to connect RBS of the second set (another routing area RA, not shown), via the IP based RAN network 36, see figures 2-3).

Regarding claim 18, Evans discloses the radio access system further adapted to connect a node of said first set with a first node of said second set for establishing a connection with a first wireless unit and to connect said node of said first set with a second node of said second set for establishing a connection with a second wireless



unit (RBS 29<sub>1</sub> of the first set (RA 31) is adapted to connect RBS of the second set (another routing area RA, not shown), via the IP based RAN network 36, see figures 2-3).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 9, 14, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans.

Regarding claims 4, 9, 14, and 19, Evans fails to explicitly disclose the area-cell mapping table 44 in RMCP 44 comprises of usage levels of the nodes.

However, it would have been obvious to one having ordinary skill in the art at the time of invention was made to includes information of usage levels of the nodes in the Radio Management Control Point for load balancing provides network stability and knowing the usage levels of each nodes provides the system to select the right nodes during hand off.

### ***Allowable Subject Matter***

Claims 10 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

**Any response to this action should be mailed to:**

The following address mail to be delivered by the United States Postal Service (USPS) only:

Mail Stop \_\_\_\_\_  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**or faxed to:**

(703) 872-9306, (for formal communications intended for entry)

**Or:**

The following address mail to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolater, Hand Delivery, etc.) as follow:

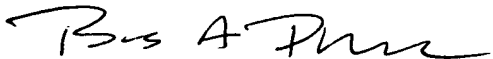
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220 20<sup>th</sup> Street South  
Customer Window, Mail Stop \_\_\_\_\_  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(571) 272-3083**. The examiner can normally be reached on Monday-Tuesday from 8:00 A.M. to 5:00 P.M. (first week of the bi-week) and Monday-Friday (for second week of the bi-week).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Chau Nguyen**, can be reach on **(571) 272-3126**. The fax phone number for this group is **(703) 872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Bob A. Phunkulh**

Primary Examiner

TC 2600

Art Unit 2661

June 23, 2005

**BOB PHUNKULH**  
**PRIMARY EXAMINER**